

SEALED

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

**BRANDON JAMES ZIOBROWSKI,
Defendant.**

Crim. No.

18cr10250

VIOLATION:

**18 U.S.C. § 875(c) – Use of Interstate and
Foreign Commerce to Transmit a Threat to
Injure Another Person**

INDICTMENT

The Grand Jury charges that:

INTRODUCTORY ALLEGATIONS

1. At all times material to the allegations below, BRANDON JAMES ZIOBROWSKI (“ZIOBROWSKI”) was a 33-year-old male who resided in Cambridge, Massachusetts.
2. On or about March 25, 2009, ZIOBROWSKI created an account on Twitter. He registered his account under the username **@Vine_II**. ZIOBROWSKI customized his account by adding a profile picture and the display name **adobe_flash_player.dmg**. ZIOBROWSKI has more than 400 followers on his Twitter account.
3. Over time, ZIOBROWSKI’s tweets have become more violent and threatening. For instance, he has repeatedly tweeted his desire to “slit” Senator John McCain’s throat. Beginning in or about February 2018, ZIOBROWSKI began posting tweets that promoted violence against law enforcement. On or about February 24, 2018, ZIOBROWSKI posted a message on Twitter that read: “Guns should only be legal for shooting the police like the second amendment intended.” Approximately two weeks after posting this tweet, ZIOBROWSKI expressed his hatred for law enforcement to a group of approximately 42 people (including at least one of his

Twitter followers) on a different online communication platform, “Fuck this police state shooting a cop should get you a medal.”

4. In or about March 2018, ZIOBROWSKI started tweeting threatening messages against federal law enforcement agents that work for the U.S. Immigration and Customs Enforcement (“ICE”). ICE is part of the U.S. Department of Homeland Security (“DHS”) and is the law enforcement agency responsible for enforcing federal laws governing border control, customs, trade, and immigration to promote homeland security and public safety.

5. On or about March 1, 2018, in response to a tweet from an ICE Field Office Director regarding the fact that ICE officers put their “lives on the line to arrest criminal aliens,” ZIOBROWSKI posted a message that read: “Thank you ICE for putting your lives on the line and hopefully dying I guess so there’s less of you?”

6. On or about July 2, 2018, ZIOBROWSKI posted this message on Twitter:



adobe_flash_player.dmg
@Vine_11

Follow

I am broke but I will scrounge and literally give \$500 to anyone who kills an ice agent. @me seriously who else can pledge get in on this let’s make this work

9:19 PM - 2 Jul 2018

2 Likes



Tweet your reply

7. When ZIOBROWSKI tweeted this message, he knew he had 448 followers and

that it would be publicly available on Twitter. Indeed, two people liked ZIOBROWSKI's murder-for-hire solicitation to kill federal agents in exchange for \$500.

8. When ZIOBROWSKI posted his July 2, 2018 tweet, he knew that the people like himself were calling for ICE agents to be killed on social media platforms. ZIOBROWSKI's July 2, 2018 tweet was designed to encourage violence and the murder of law enforcement agents who were simply enforcing federal laws governing border control and immigration. ZIOBROWSKI intended that his tweet communicate a threat and knew that it would be interpreted as a threat.

9. On or about July 5, 2018, the DHS's Current and Emerging Threats Center in Washington, D.C., found ZIOBROWSKI's July 2, 2018 tweet while conducting searches of the Internet for any domestic and international terrorism threats. Based upon the seriousness and specificity of the threat, a report entitled "Social media user solicits contract murder of U.S. Immigration and Customs Enforcement personnel" was disseminated to federal, state, and local law enforcement agencies throughout the country, including ICE field offices.

10. On or about July 11, 2018, after identifying ZIOBROWSKI as the subscriber of the @Vine_II Twitter account and confirming that he indeed posted the murder-for-hire solicitation, the FBI Boston's Joint Terrorism Task Force requested that Twitter remove the July 2, 2018 tweet from its website because it posed a threat to the public safety of ICE agents around the country. As a result, Twitter suspended ZIOBROWSKI's account.

Count One: 18 U.S.C. § 875(c) - Use of Interstate and Foreign Commerce to Transmit a Threat To Injure the Person of Another

The Grand Jury charges that:

11. Paragraphs 1-10 of the Introductory Allegations are hereby re-alleged and incorporated by reference as if fully set forth herein.

12. On or about July 2, 2018, in the District of Massachusetts and elsewhere, the defendant,

BRANDON JAMES ZIOBROWSKI,


did knowingly transmit in interstate and foreign commerce through Twitter, an online news and social networking service available on the Internet, a communication containing a threat to injure the person of another, to wit: “an ice agent,” and did so intending that his message communicate a threat and knowing that it would be interpreted as a threat.

All in violation of 18 U.S.C. § 875(c).

A TRUE BILL




Foreperson of the Grand Jury



B. Stephanie Siegmann
Brian Perez-Daple
Assistant United States Attorneys

DISTRICT OF MASSACHUSETTS, Boston, MA, August 7, 2018

Returned into the District Court by the Grand Jurors and filed.



Deputy Clerk
#2:15p

SEALED

U.S. District Court - District of Massachusetts

Criminal Case Cover Sheet

Place of Offense: _____ Category No. II Investigating Agency FBI, HSI

City Cambridge Related Case Information:

County Middlesex Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number 18-MJ-2321, 2423-2426-MBB
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Brandon James Ziobrowski Juvenile: Yes No

Is this person an attorney and/or a member of any state/federal bar: Yes No

Alias Name _____

Address (City & State) Cambridge, Massachusetts

Birth date (Yr only): 1984 SSN (last4#): 3124 Sex M Race: W Nationality: US

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:

AUSA B. Stephanie Siegmann and Brian Perez-Daple Bar Number if applicable _____

Interpreter: Yes No List language and/or dialect: _____

Victims: Yes No If yes, are there multiple crime victims under 18 USC§3771(d)(2) Yes No

Matter to be SEALED: Yes No

Warrant Requested Regular Process In Custody

Location Status:

Arrest Date _____

Already in Federal Custody as of _____ in _____

Already in State Custody at _____ Serving Sentence Awaiting Trial

On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information Indictment

Total # of Counts: Petty _____ Misdemeanor _____ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 08/07/2018

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Brandon Ziobrowski

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 875(c)</u>	<u>Use of Interstate and Foreign Commerce to Transmit a Threat to Injure Another Person</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____